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Proposed Changes to Colorado Revised Statute "C.R.S." §14-10-128 Hearings

Parents in Colorado are not entitled to, or able to request, that a jury, rather than a judge, be responsible for determining parental responsibilities of a child. For purposes of this initiative, we propose to modify C.R.S. §14-10-128(3) from "The court without a jury shall determine questions of law and fact." to "The court, with an option for a jury, shall determine questions of law and fact" concerning the allocation of parental responsibilities.

"Parental Responsibilities" means, pursuant to C.R.S. §14-10-103 the right to the care, custody, and control of a child and the duty to provide food, clothing, shelter, ordinary medical care, education, and discipline for a child and, in an emergency, to authorize surgery or other extraordinary care. There was no intent on behalf of the general assembly to modify or change the meaning of custody nor to alter the legal rights of any custodial parent with respect to the child as a result of changing the term "custody" to "parental responsibilities" for this section. "Custody" may be taken from a parent only by court action. The definition of "Court" be now expanded to include the option for a jury.

Please provide us with a number for this proposal and schedule the required public meeting to discuss this proposal further.

Thank you,

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